

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
No. 4:22-CV-80-D

EXCLUSIVE JETS, LLC,

Plaintiff,

v.

TRAVELCONFIRM AEROLEASE, INC.,

Defendant.

**ORDER**

The court has considered Exclusive Jets, LLC's motion to dismiss count four of TravelConfirm Aerolease, Inc.'s counterclaim under the governing standard. See Fed. R. Civ. P. 12(b)(6); Ashcroft v. Iqbal, 556 U.S. 662, 677–78 (2009); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555–63, 570 (2007); Coleman v. Md. Court of Appeals, 626 F.3d 187, 190 (4th Cir. 2010), aff'd, 566 U.S. 30 (2012); Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 255 (4th Cir. 2009); Giarratano v. Johnson, 521 F.3d 298, 302 (4th Cir. 2008). Count four ekes across the plausibility line. See [D.E. 8] ¶¶ 55–66; [D.E. 15] 4–12. Whether count four will survive the inevitable motion for summary judgment is an issue for another day.

In sum, the court DENIES counterclaim-defendant's motion to dismiss [D.E. 11].

SO ORDERED. This 8 day of December, 2022.

  
JAMES C. DEVER III  
United States District Judge